

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 04-1978 JB

ROBERT MICHAEL HANRAHAN,

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the Government's Motion *in Limine*, filed July 18, 2005 (Doc. 41). The Court held a hearing on this motion on July 18, 2005. The United States represented that it did not intend to preclude evidence that the gun was operable; the Defendant requested that he did not intend to argue that the gun was not a firearm or ask for jury nullification. Accordingly, consistent with the Court's ruling at the hearing on this motion, and for the reasons given at the time of the hearing, the Court will deny the United States' motion.

IT IS ORDERED that the United States' motion *in limine* is denied.


UNITED STATES DISTRICT JUDGE

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